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*Attorneys for Defendant*  
 UBER TECHNOLOGIES, INC.

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

TAJE GILL, ESTERPHANIE ST. JUSTE,  
 and BENJAMIN VALDEZ, individually and  
 on behalf of all others similarly situated,

Plaintiffs,

v.

UBER TECHNOLOGIES, INC., a Delaware  
 corporation, and LYFT, INC., a Delaware  
 corporation,

Defendants.

Case No. 4:22-cv-04379-JSW

**STIPULATION AND ~~PROPOSED~~  
 ORDER REGARDING CASE  
 SCHEDULE**

Judge: Hon. Jeffrey S. White  
 Courtroom: 5 – 2nd Floor

1           **IT IS HEREBY STIPULATED** by and among Plaintiff Taje Gill, Plaintiff Esterphanie St.  
 2 Juste, and Plaintiff Benjamin Valdez (collectively, “Plaintiffs”), Defendant Uber Technologies, Inc.  
 3 (“Uber”), and Defendant Lyft, Inc. (“Lyft”) (Plaintiffs and Defendants are collectively referred to  
 4 herein as the “Parties”), by and through their respective counsel, that:

5           WHEREAS, Uber removed this action to this Court from the Superior Court of the State of  
 6 California, San Francisco County, on July 28, 2022;

7           WHEREAS, pursuant to the Parties’ stipulation, the Court entered a briefing schedule for  
 8 Plaintiffs’ Motion to Remand, ordered the Parties to “confer and jointly propose a possible hearing  
 9 date for Plaintiffs’ forthcoming motion to remand” to the Court, and ordered an adjournment of  
 10 Defendants’ time to answer or otherwise respond to the Complaint until 45 days after the Court  
 11 rules on the Motion to Remand, Dkt. 20 (“August 5 Order”);

12           WHEREAS, Plaintiffs filed the aforementioned Motion to Remand (the “Motion”) pursuant  
 13 to 28 U.S.C. § 1447, on August 29, 2022, and noticed a hearing on November 4, 2022, a date  
 14 intended to be used as a placeholder until such time as the Parties could meet and confer on a joint  
 15 proposed hearing date, as directed by the August 5 Order;

16           WHEREAS, counsel for Uber is unavailable for a hearing on November 4, 2022, due to a  
 17 trial conflict from October 31, 2022 through December 2, 2022;

18           WHEREAS, the Parties have now met and conferred and propose January 20, 2023, for  
 19 hearing on the Motion, a date on which the Parties are informed the Court is available for hearing;<sup>1</sup>

20           WHEREAS, the Court set an Initial Case Management Conference for November 4, 2022,  
 21 and a deadline for the Parties to file the Joint Case Management Statement for October 28, 2022;

22           WHEREAS, Civil Local Rule 6-1(b) provides that “[a] Court order is required for any  
 23 enlargement or shortening of time that alters an event or deadline already fixed by Court order,”  
 24 and a “request for a Court order enlarging or shortening time may be made by written stipulation  
 25 pursuant to Civil L.R. 6-2”;

26           WHEREAS, other than the Parties’ stipulated request for an extension of the briefing

27 \_\_\_\_\_  
 28 <sup>1</sup> Plaintiffs have indicated additional availability on December 2, 2022, January 6, 2023, and  
 January 13, 2023. Counsel for Uber is not available on those dates.

1 schedule for the Motion, Dkt. 15, which the Court granted in the August 5 Order, there have been  
 2 no other requests for time modification in this case; and there are only two scheduled court dates  
 3 currently on calendar other than dates associated with the Motion briefing schedule and hearing:  
 4 (1) the Joint Case Management Statement is due by October 28, 2022, and (2) the Initial Case  
 5 Management Conference is set for November 4, 2022;

6 WHEREAS, the Parties agree that given Uber counsel's schedule and the Parties'  
 7 agreement to meet and confer and jointly propose a hearing date for the Motion, good cause exists  
 8 for the parties to propose January 20, 2023 for the hearing on the Motion; and

9 WHEREAS, the Parties agree there is good cause to adjourn the Initial Case Management  
 10 Conference and the deadline to file the Joint Case Management Statement until after the Motion  
 11 has been resolved and the Court has made a determination regarding its jurisdiction over this matter  
 12 in order to avoid the unnecessary use of the Court's and the Parties' time and resources.

13 ACCORDINGLY, pursuant to the Court's August 5 Order, the Parties, by and through their  
 14 respective counsel, hereby jointly propose that the hearing on the Motion will be set for January  
 15 20, 2023; and

16 Pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, and the Court's Civil Standing Orders  
 17 3 and 5, the Parties, by and through their respective counsel, hereby stipulate and agree to request  
 18 that the Court adjourn the Initial Case Management Conference and deadline to file the Joint Case  
 19 Management Statement until after the Motion is resolved and set a date for the Initial Case  
 20 Management Conference on a date and time convenient for the Court following its decision on the  
 21 Motion.<sup>2</sup>

22  
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 25  
 26 <sup>2</sup> This stipulation has no effect on, and does not waive, Defendants' right to object on the basis of  
 27 lack of personal jurisdiction, insufficient process, insufficient service of process, or proceeding  
 28 outside arbitration. Plaintiffs agree that they will not assert in federal or state court that there has  
 been any waiver of any defense based on an assertion of lack of personal jurisdiction, insufficient  
 process, insufficient service of process, or proceeding outside arbitration, because of the Parties'  
 agreement to the terms and scheduling proposal set out in this Stipulation.

1 Dated: September 23, 2022

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21 *Attorneys for Plaintiffs and the Putative Class*

22 Dated: September 23, 2022

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LYFT, INC.

1 Dated: September 23, 2022

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15 *Attorneys for Defendant*  
UBER TECHNOLOGIES, INC.

**~~PROPOSED~~ ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED: (1) the hearing on Plaintiffs' Motion to Remand will be set for January 20, 2023; and (2) the Initial Case Management Conference and the deadline for the Parties to file a Joint Case Management Statement shall be adjourned and reset following the Court's decision on Plaintiffs' Motion to Remand.

**IT IS SO ORDERED.**

DATED: September 26, 2022

By:   
HON. JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE

Submitted by:

PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP

By: /s/ Karen L. Dunn  
*Attorney for Uber Technologies, Inc.*